

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	DIAS et al.)	Confirmation No. 6066
Appln. No.:	10/723,257)	This Terminal Disclaimer is being
)	electronically filed using the USPTO's
Filed:	November 26, 2003)	EFS Web on this date, September 12,
)	2008.
For:	CHEESE FLAVORING SYSTEMS)	
	PREPARED WITH BACTEROCINS)	
)	
Group Art)	
Unit:	1794)	
)	
Examiner:	Wong, Leslie A.)	
)	
Customer No.	48940)	

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Kraft Foods Holdings, Inc., a Company with a place of business at Three Lakes Drive, Northfield, Illinois 60093, through its attorneys, represents that it is the assignee of the entire right, title and interest in and to the above-identified U.S Application No. 10/723,257 ("the instant application"). Applicants further represent through their attorneys that Kraft Foods Holdings, Inc. is also the assignee of the entire right, title and interest in and to pending U.S. Application, No. 09/659,459 (Attorney Docket No. 68124).

Application No. 10/723,257
Terminal Disclaimer dated September 12, 2008
Reply to Office Action of March 28, 2008

Kraft Foods Holdings, Inc. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of any patent granted on U.S. Application No. 09/659,459. Kraft Foods Holdings, Inc. hereby agrees that any patent so granted on the instant application, Application No. 10/723,257, shall be enforceable only for and during such period that it and any patent granted on U.S. Application No. 09/659,459 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Kraft Foods Holdings, Inc. does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on U.S. Application No. 09/659,459 as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any patent granted on U.S. Application No. 09/659,459 expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

Application No. 10/723,257
Terminal Disclaimer dated September 12, 2008
Reply to Office Action of March 28, 2008

The Commissioner is hereby authorized to charge Deposit Account No. 06-1135 in the amount of \$130.00 to cover the fee set forth in 37 C.F.R. § 1.20(d).

The Commissioner is hereby authorized to charge any additional fees which may be required with respect to this communication, or credit any overpayment, to Deposit Account 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By /Richard A. Kaba/
Richard A. Kaba
Registration No. 30.562

Date: September 12, 2008

Fitch, Even, Tabin & Flannery
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-4277
(312) 577-7000
(312) 577-7007